

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

JIMMY LEVI GAUTHIER,

Plaintiff,

v.

GARRETT HUNT, et. al.,

Defendants.

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Case No. CIV-20-1153-J

ORDER

This matter was referred for initial proceedings to United States Magistrate Judge Gary M. Purcell consistent with 28 U.S.C. § 636(b)(1)(B), (C) and currently pending is his Third Supplemental Report and Recommendation. [Doc. No. 80]. Judge Purcell has recommended the Court deny Plaintiff's second motion for summary judgment wherein he seeks summary judgment, a judgment on the pleadings, and default judgment against various Defendants. [Doc. No. 78]. Despite being cautioned that he must file any objection no later than August 24, 2021, Plaintiff did not object and has waived his right to appellate review of the factual and legal issues addressed in the Third Supplement Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Third Supplemental Report and Recommendation [Doc. No. 80] and DENIES Plaintiff's second motion for summary judgment [Doc. No. 78]. This matter continues to be referred to United States Magistrate Judge Gary M. Purcell.

IT IS SO ORDERED this 9th day of September, 2021.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE